

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MIGUEL A. CHIRIAPA,
Plaintiff,

v.

MATSUL INC.; ACHLA SHAWRMA
FACTORY INC., d/b/a Achla!; MOR
MELAMED; and SHOSHANA MELAMED,
Defendants.
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ORDER

20 CV 3313 (VB)

On July 2, 2020, the Court ordered defendants to show cause why default judgment should not be granted in plaintiff’s favor pursuant to Fed. R. Civ. P. 55. (Doc. #39). The Court scheduled the show cause hearing for August 6, 2020, at 9:30 a.m., and ordered defendants to serve and file opposing papers on or before July 31, 2020. (*Id.*).

On July 13, 2020, defendants Achla Shawrma Factory Inc., Mor Melamed, and Shoshana Melamed filed a “notice of bankruptcy automatic stay,” stating, “The debtor, Zuriel Melamed (‘Debtor’), through his attorney, Joshua N. Bleichman imposes the automatic stay under 11 U.S.C. § 362(a) as to all creditors pursuant to 11 U.S.C. §362(c)(4)(B).” However, Zuriel Melamed is not a party in this case.

Accordingly, it is HEREBY ORDERED:

1. The case will proceed against all defendants unless, by July 24, 2020, defendants explain in writing why the case should be stayed in part or in its entirety. Plaintiff may file a letter in response, if necessary, by July 29, 2018.

2. The default judgment hearing scheduled for August 6, 2020, at 9:30 a.m., shall proceed as scheduled.

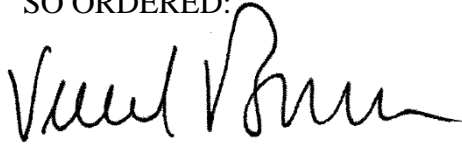
3. By 5:00 p.m. on July 15, 2020, plaintiff’s counsel shall post an affidavit of service on the ECF docket to confirm that, in accordance with the Court’s Order dated July 2, 2020,

(Doc. #39), that on or before July 10, 2020, plaintiff's counsel mailed a copy of the July 2, 2020, Order and all supporting papers to defendants.

4. By 5:00 p.m. on July 17, 2020, plaintiff's counsel shall mail this Order to defendants and file proof of service of the same on the ECF docket.

Dated: July 14, 2020
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Vincent Briccetti', written over a horizontal line.

Vincent L. Briccetti
United States District Judge